#16D 3-29-04

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on Nov. 11, 2003

Sherri Sitzmann
(name of person making deposit)

(signature)

OIPE JC26 MAR 16 2004 PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Anthony P. Peirce, et al.	)	Attorney Docket No: 56.0468
Serial No.: 09/301,961	)	Group Art Unit: 2123
Filed: April 29, 1999	)	Examiner: Day, Herng-Der
For: Method and Apparatus for Hydraulic Fracturing Analysis and Design	)	

RECEIVED
MAR 19 2004
Technology Center 2100

RESPONSE TO OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Sir

(A) Introductory Comments

This paper is filed in response to the Final Office Action dated September 11th, 2003 in the captioned application. Applicant respectfully requests that the Examiner consider Applicant's amendments and remarks as putting the claims in condition for allowance.

Amendments to the Specification begin on page 3 of this paper.

Amendments to the Claims begin on page 4 of this paper.

Amendment to the Drawings begin on page 13 of this paper.

Remarks/Arguments being on page 14 of this paper.

An **Appendix** including the amended drawings, an affidavit signed by Mr. Siebrits, substitute pages of the specification, and pages of "Boundary Element Methods In Solid Mechanics" are attached following page 17 of this paper.

Status of the Claims

Claims 1-4, 6-10 and 12-19 are pending in this application.

All pending claims have been rejected.

Claims 1-4, 6-10 and 12-19 were rejected under 35 U.S.C §112 first paragraph.

Claims 1-2 and 13-19 were rejected under 35 U.S.C §103(a) as being unpatentable over *GOHFER* in view of *Linkov*.

The Examiner has indicated that claims 3, 4 and 6-12 would be allowable once the rejections under 35 U.S.C §112 are overcome, and for the dependent claims, if further rewritten to include all the limitations of the base claim and any intervening claim.